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Department of Energy

ROCKY FLATS OFFICE
P.O. BOX 928
GOLDEN, COLORADO 80402-0928

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FEB 08 1994

94-DOE-00164

Mr. Martin Hestmark
U. S. Environmental Protection Agency, Region VIII
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Denver, Colorado 80202-2405

Mr. Gary Baughman
Hazardous Waste Facilities Unit Leader
Colorado Department of Health
4300 Cherry Creek Drive South
Denver, Colorado 80222-1530

Gentlemen:

The purpose of this letter is to clarify recent activities which have impacted Interagency Agreement (IA) Table 6 milestones for Operable Unit (OU) No. 1 and to provide an extension request based on the Department of Energy's (DOE) position regarding these impacts. This request is based on Part 42, Paragraph 222 of the IA. The DOE believes that the series of events discussed in this letter constitutes good causes. There are four main constituents which were considered in compiling this extension request:

1. A previous DOE extension request dated October 7, 1993, (Ref: 93-DOE-10200) has not been acted on by the Environmental Protection Agency (EPA) and the Colorado Department of Health (CDH).
2. There was a stop work order which was applied to the Baseline Risk Assessment (BRA) on Operable Unit No. 1 between June 21, and November 3, 1993.
3. The Draft Technical Memo (TM) No. 10, *Development of Remedial Action Objectives*, was submitted to the agencies on August 27, 1993, however, official comments on this TM had not been received from CDH as of February 1, 1994.
4. DOE would like to incorporate recent efforts by DOE, EG&G, EPA and CDH to develop a consistent, programmatic approach for conducting Corrective Measures Studies/Feasibility Studies (CMS/FS) across all OUs at Rocky Flats.

These items have caused inextricable schedule impacts and were discussed on the staff level in a meeting on January 28, 1994, between DOE, EPA, and CDH personnel. The discussion of the above items in a meeting, prior to DOE submitting a formal extension request, was suggested by CDH personnel so that these items could be clarified.

For background purposes, Enclosure 1 contains a detailed discussion of the above items and their potential impacts on the IA milestone schedule for OU-1.

Although many of the above constituents were considered, this extension request is primarily based on the use of the "Programmatic Approach" for conducting CMS/FS studies, and on the discussions of the January 28, 1994, meeting. A detailed discussion

ACTION	DIST	LTR	ENC
	BENEDETTI, R.L.		
	BENJAMIN, A.		
	BERMAN, H.S.		
	CARNIVAL, G.J.		
	COPP, R.D.		
	CORDOVA, R.C.		
	DAVIS, J.G.		
	FERRERA, D.W.		
	FRANZ, W.A.		
	HANNI, B.J.		
	HEALY, T.J.		
	HEDAH, T.G.		
	HILBIG, J.G.		
	HUTCHINS, N.M.		
	KIRBY, W.A.		
	KUESTER, A.W.		
	MAHAFFEY, J.W.		
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	MARX, G.E.		
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	MORGAN, R.V.		
	PIZZUTO, V.M.		
	POTTER, G.L.		
	SANDLIN, N.B.		
	SATTERWHITE, D.G.		
	SCHUBERT, A.L.		
	SETLOCK, G.H.		
	SULLIVAN, M.T.		
	SWANSON, E.R.		
	WILKINSON, R.B.		
	WILSON, J.M.		
	Busby, W.X.X		
	Stiger, S.X.X		
	Hawk, R.X.X		

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and background of the "Programmatic Approach" is included in Enclosure 1. In general, the "Programmatic Approach" for conducting CMS/FS studies assumes that a series of interim "working" meetings will be held for DOE to present interim/draft results from the FS to EPA and CDH for comment. The approach then assumes that a Draft CMS/FS report can be reviewed by EPA and CDH in 20 days. In effect, this approach shortens the assumed duration between a Draft and Final CMS/FS report.

For your convenience, a detailed GANT chart for conducting the CMS/FS study is included as Enclosure 2. This chart is based on the "Programmatic Approach" model. Please note the interim meetings and the 20 day review time for the Draft CMS/FS report by EPA and CDH reflected in this schedule. It should also be noted from the chart that the DOE review times for the draft and final reports are also due in 20 days.

Enclosure 3 shows the proposed milestone dates for eight Table 6 IA Milestones for OU-1. The first column of Enclosure 2 shows the original dates or the previously approved extension dates for the eight Table 6 IA milestones. The second column shows the proposed schedule for these milestones. The submittal dates for the Draft and Final CMS/FS reports are November 7, 1994, and February 8, 1995, respectively. If you have any questions regarding this material, please contact Jen Pepe of my staff at 966-2184.

Sincerely,


Martin McBride
Acting Assistant Manager for
Environmental Restoration

Enclosure

M. Hestmark & G. Baughman
94-DOE-00164

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cc w/enclosure:
A. Rampertaap, EM-453
J. Ciocco, EM-453
S. Grace ERD, RFO
T. Reeves, ERD, RFO
R. Houk, EG&G
W. Busby, EG&G
G. Kleeman, EPA
J. Schieffelin, CDH
J. Swanson, CDH

Enclosure 1

Background Discussion of IA Schedule Impacts

Previous Extension Request

The October 7, 1993, DOE letter (Ref: 93-DOE-10200) requested extension of 8 Interagency Agreement (IA) milestones. This DOE letter requested an extension for the submittal of the draft and final Corrective Measures Study/Feasibility Study (CMS/FS) reports to March 24, 1994, and September 20, 1994, respectively, indicating that sufficient time would be required to transfer critical information between the Baseline Risk Assessment (BRA) in the Resource Conservation and Recovery Act Facility Investigation/Remedial Investigation (RFI/RI) report and Technical Memorandum (TM) No. 10. The letter further requested subsequent extensions for the Draft Proposed Plan (PP), Final PP, Draft Responsiveness Summary (RS), Final RS, Draft Corrective Action Decision/Record of Decision (CAD/ROD) and Final CAD/ROD. These extensions were requested because the IA milestone for submittal of the Final RFI/RI Report had been extended from January 4, 1993, to November 15, 1993.

Stop Work Order

The August 12, 1993, Environmental Protection Agency (EPA) letter concurred that work would be stopped on the schedules for Operable Units 1 through 7 on efforts to prepare Baseline Risk Assessments and prepare the RFI/RI reports. The Colorado Department of Health (CDH) letter dated October 22, 1993, acknowledged the DOE October 7, 1993, extension request (Ref: 93-DOE-10200) for OU-1, and stated that the agencies would delay action on this request until the work stoppage on OU-1 was rescinded.

The work stoppage for OU-1 was rescinded via the CDH letter dated October 21, 1993, and signed for concurrence by DOE on November 3, 1993. Based on this letter, the work stoppage for OU-1 was 135 days (June 21, 1993, to November 3, 1993). As of the date of this letter, the DOE extension request had not been acted on by the agencies.

CDH Review of Technical Memoranda No. 10

The Draft TM 10 (Development of Remedial Action Objectives) was submitted to the agencies on August 27, 1993, (Ref: 93-DOE-10202). This draft was submitted despite the work stoppage which had been imposed on the BRA for the RFI/RI report. As of the date of this letter, DOE had not received written comments on TM 10 from CDH. The EPA comments on TM 10 were received November 17, 1993. It should be noted that DOE has proceeded with work to address the EPA comments and that initial work is being conducted to screen remediation alternatives. This work, however, is proceeding with a certain amount of risk, and approval of TM 10 is becoming a very critical path item for progression of work on the CMS/FS.

Programmatic Approach for CMS/FS Studies

On December 23, 1993, January 6, and January 13, 1994, meetings were held with personnel from EPA, CDH, DOE, and EG&G. The purpose of these meetings were for DOE and EG&G to present a draft model which outlines a detailed programmatic

approach for conducting CMS/FS studies at Rocky Flats. There are three major advantages to developing this detailed programmatic approach in concurrence with the regulators:

1. CMS/FS studies will be conducted using similar logistic procedures and approaches across all OUs, resulting in greater efficiency.
2. Potential problems associated with procedures, review times, legal determinations, etc. may be easily identified before hand and potentially avoided
3. It may be possible to compress an FS schedule depending on the particular circumstances for the OU.

Although the CMS/FS process for OU-1 is in progress, DOE feels that it would be beneficial to follow the proposed "Programmatic Approach" for finishing the CMS/FS process for this OU. This would aid DOE, EG&G, EPA and CDH in testing, modifying and further developing this approach. Potential logistic problems which may exist would be identified by using OU-1 as the test case. This could only improve the efficiency with which the CMS/FS studies are conducted for the other OUs at Rocky Flats.

Enclosure 2

ACTIVITY ID	ACTIVITY DESCRIPTION	ORIG DUR	EARLY START	EARLY FINISH	1993			1994			1995		
					TREATABILITY/FEASIBILITY STUDY								
88828C1070	SUBCONTRACTOR DEVELOPS INTERNAL WORK PLAN	18	3 JUN 92A	26 JUN 92A									
88828C1000	FEASIBILITY STUDY START	0	11 AUG 93										
88828C1170	SITEWIDE TREATABILITY STUDIES DATA	1	11 AUG 93	11 AUG 93									
88828C1060	IDENTIFY COLLECT AND DELIVER RI DATA TO SUBCONT	4	11 AUG 93	16 AUG 93									
88828C1100	REVIEW AND ASSESS POTENTIAL ARAR	5	11 AUG 93	17 AUG 93									
88828C1480	DRAFT BRA	8	11 AUG 93	20 AUG 93									
88828C1080	CONDUCT RI DATA SUFFICIENCY REVIEW	4	17 AUG 93	20 AUG 93									
88828C2268	UPDATE OF ARARs DATA	80	18 AUG 93	10 DEC 93									
88828C1140	DEVELOP RAOS	4	23 AUG 93	26 AUG 93									
88828C1490	APPROVAL OF FINAL BRA	82	23 AUG 93	17 DEC 93									
88828C1150	DEVELOP GRA	4	27 AUG 93	1 SEP 93									
88828C1155	DEVELOP PRGs	4	2 SEP 93	8 SEP 93									
88828C1210	DEVELOP DRAFT TM #10	4	9 SEP 93	14 SEP 93									
88828C1220	EGG REVIEW AND COMMENT TM #10	4	15 SEP 93	20 SEP 93									
88828C1240	EGG AND DOE REVIEW AND COMMENT DRAFT TM #10	4	21 SEP 93	24 SEP 93									
88828C1300	INCORPORATE COMMENTS & PRODUCE DRAFT FINAL TM #10	4	27 SEP 93	30 SEP 93									
88828C1305	EPACDII REVIEW OF TM #10	34	10 CT 93	17 NOV 93									
88828C1320	COMMENT RESOLUTION ON TM #10	20	18 NOV 93	17 DEC 93									
88828C1180	DEVELOP COMP LIST OF TECH	5	20 DEC 93	3 JAN 94									
88828C1500	REVISE TM #10	23	20 DEC 93	27 JAN 94									
88828C1230	CONDUCT INITIAL SCREENING OF TECH	5	4 JAN 94	10 JAN 94									
88828C1260	DEVELOP ALTERNATIVE LIST	5	11 JAN 94	17 JAN 94									
88828C1275	MEETING WITH EPA/CDH	1	18 JAN 94	18 JAN 94									
88828C1380	SCREEN ALTERNATIVES	5	19 JAN 94	25 JAN 94									
88828C1390	DEVELOP TM #11	18	26 JAN 94	18 FEB 94									
88828C1510	SUBMIT TM #10 TO EPA/CDH	1	28 JAN 94	28 JAN 94									
88828C1400	DELIVER TASK 9 DRAFT TM #11	1	21 FEB 94	21 FEB 94									
88828C1403	EG&G REVIEW OF TM #11	5	22 FEB 94	28 FEB 94									
88828C1406	INCORPORATE COMMENTS	5	1 MAR 94	7 MAR 94									
88828C1410	DOE REVIEW & COMMENT ON PRELIMINARY DRAFT TM #11	20	8 MAR 94	5 APR 94									

Enclosure 2 page 2

ACTIVITY ID	ACTIVITY DESCRIPTION	ORIG DUR	EARLY START	EARLY FINISH	TREATABILITY/FEASIBILITY STUDY		
					1993	1994	1995
88828C1420	INCORPORATE DOE COMMENTS	10	6APR94	19APR94			
88828C1440	FINAL DOE REVIEW ON DRAFT TH#11	5	20APR94	26APR94			
88828C1450	INCORPORATE COMMENTS	5	27APR94	3MAY94			
88828C1460	DELIVER TH#11 TO EGG/DOE, EPA/CDII	1	4MAY94	4MAY94			
88828C1462	EPA/CDII REVIEW OF TH#11	10	5MAY94	18MAY94			
88828C1464	MEETING WITH EPA/CDII	1	19MAY94	19MAY94			
88828C1466	COMMENT RESOLUTION	10	20MAY94	3JUN94			
88828C2270	ANALYZE ALTERNATIVES AGAINST 9 CRITERIA (TASK 10)	20	6JUN94	1JUL94			
88828C2290	NEPA REVIEW OF ALTERNATIVES	20	6JUN94	1JUL94			
88828C2272	COMPARATIVE ANALYSIS OF ALTER AGAINST 9 CRITERIA	10	5JUL94	18JUL94			
88828C2274	MEETING WITH EPA/CDII	1	19JUL94	19JUL94			
88828C2276	PREPARE RECOMMENDED RAP	7	20JUL94	28JUL94			
88828C2300	PREPARE PRELIMINARY DRAFT CHS/FS - EA REPORT	20	29JUL94	25AUG94			
88828C2320	EGG/DOE REVIEW OF PREL. DRAFT CHS/FS-EA REPORT	20	26AUG94	23SEP94			
88828C2330	ADDRESS COMMENTS & PREPARE DRAFT CHS/FS-EA RPT	10	26SEP94	7OCT94			
88828C2340	RE-SUBMIT DRAFT CHS/FS-EA REPORT TO DOE	0		7OCT94			
88828C2350	FINAL DOE REVIEW OF CHS/FS-EA REPORT	20	10OCT94	4NOV94			
88828C2170	SUBMIT DRAFT CHS/FS-EA REPORT TO EPA/CDII	5	7NOV94	11NOV94			
88828C4000	PREPARE PRELIMINARY DRAFT PROPOSED PLAN	15	7NOV94	24NOV94			
88828C2180	EPA/CDII REVIEW OF DRAFT CHS/FS-EA REPORT	20	14NOV94	13DEC94			
88828C4010	DOE REVIEW PRELIMINARY DRAFT PROPOSED PLAN	20	30NOV94	4JAN95			
88828C2190	PREPARE DRAFT FINAL CHS/FS-EA RPT	15	14DEC94	11JAN95			
88828C4020	INCORPORATE COMMENTS	10	5JAN95	18JAN95			
88828C2200	DOE REVIEW DRAFT FINAL CHS/FS-EA REPORT	20	12JAN95	8FEB95			
88828C4022	FINAL DOE REVIEW DRAFT PROPOSED PLAN	10	19JAN95	1FEB95			
88828C4025	INCORPORATE COMMENTS	5	2FEB95	8FEB95			
88828C2210	DOE TRANSMITTAL OF DRAFT FINAL CHS/FS-EA REPORT	0		8FEB95			
88828C4030	SUBMIT DRAFT PROPOSED PLAN	0		8FEB95			

Enclosure 3

Proposed IA Milestone Schedule

IA Deliverable	IA Table 6 Milestone Date	Proposed Schedule
Draft CMS/FS	11-Feb-94 *	7-Nov-94 **
Final CMS/FS	3-Aug-94 *	8-Feb-94 **
Draft PP	27-Sep-93	8-Feb-94
Final PP	4-Jan-94	18-May-94
Draft RS	6-May-94	28-Aug-95
Final RS	3-Aug-94	25-Nov-95
Draft CAD/ROD	3-Aug-94	25-Nov-95
Final CAD/ROD	1-Nov-94	23-Feb-96

CMS/FS - Corrective Measures Study/Feasibility Study

PP - Proposed Plan

RS - Responsiveness Summary

CAD/ROD - Corrective Action Decision/Record of Decision

* An extension to the original Table 6 milestone date was granted April 2, 1993.

** Proposed Schedule based on the CMS/FS "Programmatic Approach" model and the IA Schedule Assumptions. A detailed gant chart is attached for the proposed CMS/FS study. This schedule assumes that the Draft CMS/FS Report can be reviewed by EPA and CDH in 20 days. It also assumes 20 days for DOE review prior to the submittal of the draft and final reports. An expedited or concurrent review by DOE would result in an early finish date for the CMS/FS report.